

COURT APPEARANCE NOTIFICATION SYSTEM: EVALUATION HIGHLIGHTS (#002-06A)

The *Court Appearance Notification System* was established in Multnomah County in May 2005, to reduce the failure to appear rate. By notifying defendants of their upcoming hearings, the system reduced the likelihood of failing to appear by 43% to 45%. Results appeared to reduce minority over-representation in failures to appear in court. In its first full year of operation the program is estimated to save the criminal justice system more than \$500,000.

Background. *Failure to appear* (FTA) in court is a significant drain on criminal justice system resources by all justice agencies. FTA often results in the production of warrants which are issued by judges, processed by the Sheriff's Office, served by various law enforcement agencies, and requiring low-risk arrestees to be jailed until their hearing, wasting valuable jail space.

The *Court Appearance Notification System* (CANS) was established in Multnomah County as a pilot program to determine if the failure to appear rate could effectively be reduced. Like a doctor's office, the program worked by telephoning defendants prior to their court hearing to remind them where and when to show up.

Notification Calls Were Placed. Between May 31, 2005 and November 30, 2005 there were 2,391 hearings where a computer placed notification calls. This represented approximately 21% of all eligible hearings. Most calls occurred at 8:00 AM weekdays, with any subsequent calls occurring every two hours after the previous missed call (10:00AM and 12:00PM). During this time period more than 4,440 total calls were placed for an average of 1.8 calls per hearing.

Hearing Notification Attempts				
Month of Call	Miss (#)	Success (#)	Total (#)	Success (%)
May	7	25	32	78%
June	143	261	404	65%
July	103	294	397	74%
August	109	310	419	74%
September	105	371	476	78%
October	70	320	390	82%
November	54	219	273	80%
Total	591	1800	2391	75%

Notification calls were typically placed three days before the hearing date. Calls where either an individual answered or an answering machine takes a significant proportion of the call were identified as 'successful calls.'

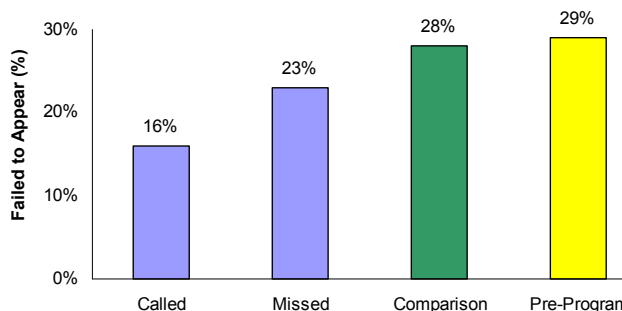
Seventy-five percent of all hearings had successful notification and this rate increased over time from 65% to 80% (May only had one day of calls).

One quarter of all hearing notification calls were missed by the recipient. Missed calls were repeated three times before the being coded 'missed.'

Notification Outcomes. An outcome evaluation was conducted to determine if differences in FTA rates occurred for those who received CANS notification. Four groups were sampled and compared: CANS participants who successfully received notification (Called), CANS participants who did not successfully receive notification (Missed), a comparison group who would have been called but had no phone number on file (Comparison), and a pre-treatment comparison group who would have been called if the program were in effect in 2004 (Pre-Program). There was little difference in the demographics of each group. Results have a sampling error of +/-5% with a 95% confidence interval.

Demographic Characteristics by Group				
Group	Sample Size (n)	Males	White	Age
Called	243	79%	62%	34.2
Missed	191	82%	58%	35.5
Comparison	272	82%	60%	34.8
Pre-Program	270	75%	62%	35.1

As shown in the following bar chart, 16% of CANS participants who successfully received a call resulted in an FTA versus 23% who missed their notification. Overall, the CANS program had an FTA rate of 18%. Those who never received hearing notification calls failed to appear between 28% and 29% of the time.



Based on these results, the CANS program effectively reduced the FTA rate by 36% to 38%. Those who successfully received a notification call decreased their failure rate by 43% to 45%. Additionally, results suggest

that partial benefits were extended to those who had calls placed, but were not successfully contacted (18% to 21% reduction).

Racial Over-Representation. One unintended consequence in any new criminal justice program is the possibility of increasing racial disparities also known as over-representation. A December 2002 Local Public Safety Coordinating Council (LPSCC) report identified issues relating to increasing the rate of appearances at court as a way to reduce racial over-representation in the criminal justice system. In developing CANS, LPSCC wanted to know if the effects would be race neutral, or perhaps reduce the current disparity previously identified.

Failure to Appear by Group and Race		
Group	Race	FTA Rate (%)
Called	Person Of Color	14%
	White	18%
	Total	16%
Missed	Person Of Color	30%
	White	19%
	Total	23%
Comparison	Person Of Color	23%
	White	32%
	Total	28%
Pre-Program Comparison	Person Of Color	40%
	White	23%
	Total	29%

Results found that the those persons of color who successfully received a reminder call had a lower incidence of FTA (14%) than persons of color who did not receive calls (23% to 40%), and was lower than that of whites (18%). This suggests that the reduced FTA rates from the program extend to both persons of color and whites, but appear more strongly for persons of color.

Calculating Cost Avoidance. Costs associated with an FTA can be avoided. At a minimum costs are incurred when judges, prosecutors, defense and support staff must re-process a missed hearing. These costs increase when new warrants are produced and reconciled.

Cost Estimates per FTA		
Function/ Component	Cost of an FTA Only	Cost if a New Warrant's Issued
Issuing/ clearing warrants		\$ 26.42
Police apprehension		\$ 197.58
Booking in jail		\$ 291.23
Jail holding (1 day)		\$ 109.61
Court hearing (loaded)	\$ 694.94	\$ 694.94
Total	\$ 694.94	\$1319.78

Based on the findings from the outcome evaluation, approximately 28.5% of hearings would have failed to appear without CANS. Participants had an overall FTA rate of 18%; 16% of successful calls resulting in an FTA and 23% of missed calls resulting in an FTA. Based on the total 2,391 hearings, the program was able to reduce the number of FTAs by 251 and new warrants by 177. At an estimated cost of \$1,320 per FTA warrant, a cost-avoidance of \$232,836 was calculated. An additional \$51,426 was saved for the reduction in FTAs that did not generate a new warrant.

The estimated net benefit to the criminal justice system for the first six months of operation was (\$232,836+ \$51,426-\$20,000 (program costs)) about \$264,000. It is estimated that a full year of operation at its current level would save the criminal justice system approximately \$528,000.

Recommendations. Based on the results of the evaluation, this program is effective at reducing the failure to appear. Even so, there are several recommendations that should be implemented if the program is to achieve its full potential:

1. Increasing the number of available phone numbers is paramount. Only 21% of eligible hearings were called. In cases where the defendant reports no phone number, a family or friend's contact number should be sought.
2. Add Gresham court cases to the call system as soon as possible. After which, all other hearing types should be incrementally added to the system as appropriate.
3. Add multiple language options to the call notification system, beginning with Spanish.
4. Increase and change call times to increase the chance of successful notification.
5. Calls should be placed on weekends and tested.
6. Maximize the number of calls possible by a) notifying defendants that missed their court hearing of any outstanding warrants, and b) utilize the system to notify police and witnesses of upcoming hearings where their testimony is needed.
7. Renegotiate the vendor contract to better reflect the amount of call volume actually occurring.
8. Determine why some calls that had numbers were not made.
9. Add a part-time temporary position to assure full program implementation occurs. Greater cost-savings could be realized after the program is fully implemented.

The full report and other research are available online at : www.co.multnomah.or.us/dbcs/budget/performance/index.shtml